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THE HON. DR. S. GURUBATHAM :—" All societies are not constructing A and B class houses, Sir. They are constructing C class houses also and I see that the proportion is not so great as between A, B and C class houses."

MR. PRESIDENT :—" Questions over. The debate on the Zamindari Abolition Bill will now continue."

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

GOVERNMENT BILLS.

II.—(1) THE MADRAS ESTATES (ABOLITION AND CONVERSION INTO RYOTWARI) BILL, 1947 (L.A. BILL No. 37 OF 1947)—*cont.*

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" Mr. President, in view of the attitude that we have taken yesterday with regard to an amendment, we are following the same attitude to-day also and we do not propose to take any further part in these discussions, on this Bill."

MR. PRESIDENT :—" I think in the interests of the proper and smooth working of this House, we ought not to allow this tension to prevail. I wish that the hon. Deputy Leader of the Opposition will please get into touch with the Government and come to some sort of understanding, so that we may get on as amicably as before. I make this suggestion both to the Government and to the Opposition."

SRI P. VEERABHADRASWAMI :—" Mr. President, Sir, this is a very important legislation which the Provincial Government have undertaken since the year 1937. The Prakasam Committee went into the whole question, made a lot of investigations and inquiries and produced voluminous reports. From that time onwards, the zamindari ryots have been expecting legislation on this important question and after many years the Government are now able to bring forward this important legislation which stands to the credit of the present Government and also to the credit of the present Legislature. When the full effects of the present legislation will be known after a few years, people will realise what great achievements we are able to make. This legislation will help to bring about a uniform system of land tenure and the tax burden on the lakhs of zamindari tenants will be greatly lightened and there will be no evictions of tenants from land and we can expect more food crops to be produced and there will be an end to the lot of litigations that have been going on in the zamindari areas.

" Sir, it has been suggested in certain quarters that in the near future there will be fresh elections and that another party may come into power and that some of the important pieces of legislation passed by the present Government may be repealed or annulled. With all due respect to people holding such views, I may be permitted to say that the Congress will remain in power at least for a decade to come. People in the country are not

enamoured of the methods that are being adopted by the Communists and other parties and they will never give room for such parties to come into power. It is the Indian National Congress that has brought Swaraj or political freedom in this country and I am sure it will also bring economic Swaraj to the people of this country ere long. Important legislative measures will be introduced in the future that will bring about economic equalization. Capitalism and landlordism will have to undergo very serious changes and there will be plenty of food and clothing for the poor and the needy and we can expect that not only in the national sphere but also in the international sphere, our country will occupy a very important position. So, Sir, I congratulate not only the present Government, but also the present Legislature for putting this important legislation on the statute book."

11-45 a.m. * SRI S. B. ADITYAN :—" Mr. President, Sir, the abolition of the zamindari system was thought of as a small affair in the beginning but looking back upon the history of this legislation one feels that it has been indeed a very difficult matter. Looking at the history of this Bill which is now passing through the third reading I feel that it is no exaggeration to say that, never was a Bill so strenuously and so persistently opposed and never was a measure so bitterly fought at every stage, as this Bill. That this Bill has been brought to this stage, speaks volumes to the tenacity of purpose and the faith in the Congress' Programme, of the Hon. the Revenue Minister. So far as I can see, we have not yet seen the end of the Opposition. It will still be fought in the remaining stages. Representations will be made that the assent should be withheld and even after that, the validity of this Act would be questioned in a court of law. But I believe that the Bill will be held valid in due course and it will achieve the purpose for which it is intended.

" Sir, this is the first step in the abolition of the intermediaries between the cultivator and the State. One feels that it is one of the outstanding achievements of the present Ministry. If one goes to the public for any decision at a later stage this Act will redound to the credit of the Ministry. If the common man asks : ' What has your Ministry done for the public? ', then one can rightly and proudly point to this legislation and claim credit for having done something worth the while.

" Sir, while congratulating the Hon. the Revenue Minister on the success with which he has piloted this Bill I would ask him also to bring the rest of his proposed legislation as early as possible. He has already indicated that he proposes to bring a Bill to codify the land tenure and to define by statute the relation between the tenant and the landholder and to bring about certain other land tenure reforms. I would ask the Hon. Minister, Sir, not to rest on his oars but to go ahead and bring all those other welcome reforms so that the land tenure system might be a credit to this Province and to the whole of our country."

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SRI S. A. S. RM. RAMANATHAN CHETTIAR :—" தலைவர் அவர்களே, இப்பொழுது மூன்றாவது கட்டத்திற்கு வந்திருக்கிறோம். ஆகையால் நான் அதிக நேரம் பேசப்போவது இல்லை. ஆனால் இரண்டொரு விஷயங்களை மட்டில் பேசுவதற்கு முன் வந்தேன். அதைப்பற்றி கனம் மந்திரி அவர்களிடம் ஏற்கனவே சொல்லி இருக்கிறேன். அதாவது சேர்க்கக்கூடாத சில இனம்களைச்சேர்த்து சில ஜனங்களுக்கு கஷ்டத்தை உண்டு பண்ணாமல் சேர்க்கக்கூடியது என்ன சேர்க்கக்கூடாதது என்ன என்பதை கனம் மந்திரியவர்கள் பார்த்து அதைச்செய்ய வேண்டுமென்று கேட்டுக் கொள்ளுகிறேன்.

" முக்யமாக தஞ்சாவூர் ஜில்லாவில் **Palace** இனம்கள் இருக்கின்றன. அரண்மனைக்குச் சொந்தமான பல சத்திரங்கள் **Palace** தேவஸ்தானம் வகையராக்கள் எஸ்டேட்டுகள் இருக்கின்றன. அவைகள் எல்லாம் **1936**-ம் ஆக்டுத்திற்கு பிந்திய இனமாக நடவடிக்கையில் இருக்கின்றன என்று நான் நினைக்கிறேன். அந்தமாதிரி இனம்களை கனம் மந்திரியவர்கள் தெரிந்து கொண்டு அவைகளுக்கு வேண்டிய சட்டத்திருத்தத்தைச் செய்வார்கள் என்று நான் நம்புகிறேன். அத்துடன் கூட கோர்ட்டில் இது விஷயமாக அநேகம் கேஸ்கள் **pending**-ஆக இருக்கின்றன. **Suit**-கள் நடந்து **decree**-கள் **pending**-ல் இருக்கின்றன. அவைகளெல்லாம் பழய சட்டம் சம்மந்தமானவைகள். அவைகளை பாக்கியில் வைக்காமல் சீக்கிரத்தில் பைசல் செய்ய வேண்டுமென்று ஆர்டர் அனுப்ப கேட்டுக்கொள்ளுகிறேன். வாயதா போட்டுக்கொண்டே இருக்கிறார்கள். சாதாரணமாக கோர்ட்டில் எவ்வளவு கஷ்டங்கள் இருக்கிறது என்பது கோர்ட்டு அனுபவமுள்ளவர்களுக்குத்தான் தெரியும். மற்றவர்களுக்கு அதனுடைய கஷ்டம் தெரியாது. அதைக்காட்டிலும் பெரிய கஷ்டம் மனிதருக்கு வேறு ஒன்றுமில்லை. ஆயிரம் நாவைப் படைத்த ஆதி சேஷனாலும் சொல்ல முடியாது. ஆகையால் ஜனங்கள் ரொம்பவும் கஷ்டப்படுகிறார்கள். அவர்களுடைய சிரமத்தைக் **continue** பண்ணாமல் சீக்கிரத்தில் கோர்ட்டில் **pending** ஆக இருக்கும் கேஸ்களை சீக்கிரத்தில் முடிக்கும்படி செய்யவேண்டும் என்று கேட்டுக் கொள்ளுகிறேன்.

" தவிர இப்பொழுது இந்த சட்டத்தைக்கொண்டு வந்ததற்கு கனம் ரிவினியூ மந்திரியவர்களை நான் மனமாற வாழ்த்துகிறேன்."

* **THE HON. SRI KALA VENKATA RAO** :—" I am very thankful, Sir, to the hon. Members of the House for all that they have said during the last one week both in the general discussion and later on when the clauses were considered. It was a real surprise to me, Sir, yesterday when the hon. the Leader of the Opposition declared that he would not further partake in the passage of this Bill. It would have been very helpful if his attitude had been different. Especially when he was getting into that mood, Sir, I tried to explain to him very clearly and even gave him an assurance regarding the matter which he raised with reference to clause 40. But he was not to be satisfied. I think there is more of politics in his refusal to partake in the debate than the attitude of the Government in not accepting an amendment. This is not the only Bill, Sir, where amendments were not accepted In this Legislature many Bills were passed for which amendments were not accepted. We discussed this in the Select Committee, Sir, and hon. Members of the House were represented there. This point was thrashed out there. It was there for four months and hon. Members like Dr. Lakshmanaswami Mudaliyar took pains to scrutinize every clause, comma and fullstop. In reply to a later

question by Mr. Adityan I said: Whether the gentlemen will co-operate or non-co-operate the Government will stand by their promise.

"Leaving that aspect of the question, Sir, the hon. Dr. Lakshmanaswami Mudaliyar who spoke about the Bill *in extenso* yesterday—I think that he practically came to the end of his speech—raised two important points. One was about the retrospective effect and the other was about values. Answering the second question first, we cannot say that the values in this world can remain static for all time to come. They have really been shaken on account of two great world wars. After the two world wars certain values have been shaken and no particular Government or no particular country can be blamed for it. To-day the ideas of social justice have very much developed. Even a country like England has changed from the laissez-faire policy to one of State interference. The State has long ago ceased to be a police State and it has become a positive state. It is incumbent and it is the duty of the State to attend to the needs of the common man not leaving him to mercies of certain interests in the country. So when the State brings in a legislation so as to help him in his various spheres of life, we cannot be charged that we have shaken values. As a matter of fact I may claim with all pride that if there was any single individual in the history of the world in recent years it was our Great Gandhiji, the Father of the Nation, who attached a great value to the so-called values which were in the mind of Sir Lakshmanaswami Mudaliyar. He stood like a rock and prevented people from developing into certain by-ways which would have led them to destruction. Of all these things which were held sacred in this world, his preachings about moral value have impressed not only India but the whole world, as one could have seen the tributes paid to Gandhiji. Therefore, if at all there is one party in this country it is the Congress Party that holds to the values, moral, religious, economic, etc., that were advocated by no less a person than Gandhiji. Therefore, Sir, Dr. Lakshmanaswami Mudaliyar need not get perturbed over that aspect of the question.

"The other important point that he wanted to make in his speech was about retrospective effect. Giving retrospective effect to a legislation is not confined to this Bill alone. I wanted to give a list of all the enactments both here and in England where retrospective effect was given to a number of statutes. Unfortunately my notes were mislaid and I could not bring the list which I read in the Assembly and which was some time ago published in the newspapers. There cannot but be retrospective effect when you want a legislation of this type. As I explained, Sir, there are men who are prepared to make hay while sun shines. People are shrewd enough and when they know what type of legislation is coming, they use their intelligence and they take advice and do things to circumvent the coming Bills. In order to prevent this premonition or whatever you call it on their side, because they are

taking action to circumvent the coming law, it is but right that we make some provisions with reference to their retrospective and retractive actions. After all what is the retrospective effect we have given? The Congress Election Manifesto was published on 1st November 1945 or thereabouts and we fixed the date at 1st July 1945, only four months before that. It is because the accounts are kept for faslis in revenue matters from July we fixed the date as 1st July 1945. As I told you yesterday, a zamindar getting Rs. 15 lakhs was selling away one of his thanas. A zamindar was assigning a large portion of his lands, about which he had some doubts as to whether they would be classed private lands or not to members of his own family. All these things have to be prevented. It is only with that very good purpose in mind, Sir, that retrospective effect has been put in the Bill, and it cannot be seriously protested against by anyone.

"Sir, the hon. Members, Mr. Bhima Rao and Mr. Ramanathan Chettiar, have pleaded again the cause of the inamdars. As I have explained earlier, as in the case of Tanjore where there are rulings by Courts, etc., we are bound to honour those rulings and we will honour them.

"With reference to the question of the quantum of compensation and the rest, Sir, we will be as liberal as is humanly possible and we will do our best to do justice and pay everyone concerned his due.

"Sir, the hon. Member, Mr. Adityan, has mentioned about the need for taking further steps to complete the picture. As I have already explained the Government have got the peasant in their heart and they will do all that they can to ameliorate his present depressed condition by legislation and by administration.

"I must nonetheless say, Sir, that the search for justice is of course slow and fumbling and men's ideas of what is just do not always agree. Can any sane politician now support Mr. Bagehot when he said : 'that a permanent combination of the working classes would be an evil of the first magnitude'? He was against trade unions in the 1800s and 1850s. Can any politician now support him? His standard of justice was that labour could not get themselves organised into trade unions. Can we agree with his remark that 'our system could only be maintained (that is the system in England could be maintained) by the elections selecting one or two wealthy men to carry out the schemes of the State?' Sir, time has destroyed all these things and our present ideas are different. That was justice to Mr. Bagehot, a well known English politician. If we go to the people now and say 'You should not have trade unions or you should only elect the Rajah of so and so to be your Prime Minister' I do not think we will be satisfying anybody. Sir, standards of justice have changed and they have to fall in line with other things.

"There was also another picture that was presented. It was stated : 'you may go away and you do not know what may happen to-morrow. The Communists may upset all your arrangements 12 noon.

about retrospective effect and other things.' Sir, I say, the Communists do not think in terms of legislation at all. They want to proceed irrespective of legislation. Their ideal is the complete eradication of the present principles of economic background in the whole country. But, Sir, a politician will not lose courage or allow himself to believe that his search for right is a mere will of the wisp, and that the riddle of social justice is not only unsolved but insoluble. Only one should take guard against formulæ that express a fixed or static state of things. I have read somewhere, there are two words in medicine that you must never use. They are ' always ' and ' never ' and the same applies to politics.

" Sir, last night, while reading the Political Quarterly, I came across a good passage. It says:

' *An eloquent picture of the subjection of Government to the bombardment of group interests is drawn in the grain-growers guide for Western Canada of* 1913, *under the heading of " don'ts for grain growers ".—" Don't agitate for lower tariff duties because you will offend the Canadian Manufacturers' Association. Don't agitate for lower freight rates, because you will offend our three great railway companies. Don't agitate for cheaper money, because you will offend the Banker's Association. Don't complain about the higher price of lumber, because you will offend the lumbermen's associations. Don't complain about the high rate of interest you pay on mortgages, because you will offend the loan and mortgages companies. Don't advocate co-operative stores because you will offend the retail merchants' association.*" '

Then, what are we to do in this world? That is the question that I have to face. Gandhiji was faced with the same opposition throughout his life because his whole programme was against vested interests. If he wanted to introduce khadi, the mill-owners were against it. If he wanted to remove untouchability, the Sanatanists were against it. Similarly, there were so many hundreds of things which Gandhiji had to fight for and therefore, I say, unless you are prepared to move forward and not care for those vested interests in the face of the bombardment, you will not be able to make your country prosper. Sir, one great important thing that Gandhiji has taught us is to do what we feel right and not simply fold our hands and sit exasperated. That is what we are trying to do. This Government which represent the ideals of such a man as Gandhiji cannot sit quiet, because that would be doing an injustice not only to our country, not only to our own people but to the great soul which guided us in the cause of the country's freedom. Therefore, I do not think that we can sit tight. We have to change the trend of things. That task is of course very difficult but we have to shoulder it and carry it to its logical end so that justice may be done to the common man.

" Sir, one question has now been sent about the arrears of rent. This question was much discussed. While in the Northern India Bills, provision is made that Government should collect the rent *in toto* and that fifty per cent of it should be paid to the zamindar after deducting the collection charges, etc., and the

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remainder should be taken over by the Government, we have been advised that this kind of provision will be subject to objection and therefore we deeply considered this question and we decided that the arrears of rent should be reduced in the same way as current rent and we provided for the payment of the reduced rent for faslis 1356 and 1357 and the rest of the outstanding arrears will be wiped out under the present Bill. We have also provided that it is open to the tenant to clear the outstanding arrears within two years from the time of the notification. I know that a number of landholders are misusing the money collected for the current year by rent and then it is being credited for old arrears. There are certain people doing like that and also certain people, because of the law of limitation, are forced to go to the court of law. I will once again examine all these aspects and will take such steps as will be necessary. I now move that the Bill be passed into law."

MR. PRESIDENT :—" The question is—

'*that the Madras Estates (Abolition and Conversion into Ryotwari) Bill,* 1947 (*L.A. Bill No.* 37 *of* 1947) *as passed by the Assembly be passed into law* '."

The motion was carried and the Bill was passed into law.

(2) THE MADRAS BUILDINGS (LEASE AND RENT CONTROL) AMENDMENT BILL, 1948 (L.A. BILL No. 24 OF 1948).

THE HON. DR. S. GURUBATHAM :—" Sir, I move—

'*that this House concurs in setting up a Joint Select Committee of the two Houses consisting of* 21 *members* (14 *members from the Assembly and* 7 *members from the Council) to consider the Madras Buildings (Lease and Rent Control) Amendment Bill,* 1948 (*L.A. Bill No.* 24 *of* 1948).' "

MR. PRESIDENT :—" Does the Hon. Minister want to explain the objects or the provisions of the Bill?"

THE HON. DR. S. GURUBATHAM :—" Sir, we are only appointing a Select Committee to go into the whole question. The Bill was published in April and though we did not call for any criticism from the public, we have received a number of representations. Quite a big number of voluminous representations have come to us and they have to be considered. I do not want to go into the details of the Bill at this stage and after the report of the Select Committee is received, I will go into the details. I only move the motion that seven members be nominated from this House."

MR. PRESIDENT :—" The question is that this House concurs in setting up a Joint Select Committee of the two Houses consisting of 21 members (14 members from the Assembly and 7 members from the Council) to consider the Madras Buildings (Lease and Rent Control) Amendment Bill, 1948 (L.A. Bill No. 24 of 1948)."

The motion was carried.